IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No. 3482 of 2007.

Krishna Kumar @ Pappu ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Ramesh R. Shinde,Advocate for the applicant.

Mr V. V. Nikam, A.P.P for the State.

CORAM: V.C. DAGA,J.

DATED: 25TH OCTOBER, 2007.

P.C.:-

1. Heard learned counsel for the applicant and learned APP for the State.

2. Perused the application and material available on record.

3. The applicant is seeking bail under Section 439 of the Cr.P.C., arrested in C.R. No. 358 of 2007 registered with Vile Parle Police Station, for the offence punishable under Section 376 (2) (g), 342, 504, 506 read with Section 34 of the I.P.C.

4. According to the learned counsel for the applicant, there is no material available on record to connect the present applicant with the offence alleged.

5. Learned A.P.P. opposed this application, however, he could not take his submission to the logical end.

6. Except the statement of the prosecutrix, there is no material available on record to connect the applicant with the alleged offence.

7. Having heard both parties, no useful purpose would be served by continuing detention of the applicant in custody till the trial is over. However, while releasing him on bail, certain stringent conditions will serve ends of justice.

8. In the result, the applicant,Krishna Kumar @ Pappu Shivkumar Varma be released on bail in connection with C. R. No. 358 of 2007 registered with Vile Parle Police Station, under Section 376(2) (g), 342, 504 read with Section 34 of the I.P.C. subject to furnishing a personal bond of Rs. 10,000/- with one surety in the like amount on following terms and conditions.

a] The applicant shall report to above Police Station once in a week i.e. on every Saturday between 3.00 to 5.00

p.m.till the conclusion of the trial.

b] The order of bail will be given effect only after the applicant furnishes to the Investigating Officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating Officer.

c] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

d] The applicant shall co-operate with the Investigating Agency in investigation.

e] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

f] Breach of any of the above conditions may result in cancellation of this

order.

9. Application is disposed of in above terms.

(V.C. DAGA,J.)